



3. I am a 17S3A Cyber Warfare Operations Officer in the United States Air Force Reserves currently serving at the 52nd Network Warfare Squadron at Offutt Air Force Base, Nebraska.

4. I enlisted in the Air Force Reserves in July 2005 and served as an aircraft maintainer on the F-16 until 2012 when I was selected to go to Officer Training School. The training required to become an aircraft maintainer included: 1) Basic Military Training (7 weeks); and 2) Tactical Aircraft Maintenance Training (6 months). During my seven years as enlisted, I also completed the Non-Commissioned Officer Professional Military Education and Airman Leadership School and all the Career Development Courses required to attain the 7-level craftsman skill level.

5. I commissioned June 2012 and first served as an Air Battle Manager from 2012-2020. This training included: 1) Officer Training School (12 weeks); 2) Undergraduate Air Battle Manager School (9 months); 3) Air Weapons Officer Initial Qualification Training (4 months); 4) Air Weapons Officer Mission Qualification Training (1 month); and 5) Survival Evasion Rescue Escape training (4 weeks).

6. In May 2020, I joined a new unit and cross-trained to become a Cyber Warfare Operations Officer. This training included: 1) Undergraduate Cyber Warfare Training (6 months); 2) Cyber Defense Analysis Weapon System Initial Qualification Training (3 weeks); and 3) Cyber Defense Analysis Weapon System Mission Qualification Training (2 weeks).

7. I joined the military in response to the events that happened years earlier on September 11, 2001. I wanted to serve my country and volunteer myself as a willing, able, and ready body to serve and protect our country from all enemies foreign and domestic.

This desire to serve led to multiple opportunities to grow in leadership serving both as a Squadron Red Rope and a Chapel White Rope while at technical training school.

Additionally, during deployments and temporary duty station exercises, I sought out opportunities to volunteer and lead others by example whether serving in the music ministry at the deployed location chapel, helping the medical staff tend to a variety of wounded patients to include friendly, civilian and enemies, as well as in the local community to help better the lives of those in need (i.e., helping the homeless).

8. Since 2005 I have deployed five times and have received many awards and recognitions serving as a traditional reservist for the entirety of my military career. In 2006, after completing the Aircraft Maintenance Training, I received both the Distinguished Graduate and Top Graduate for my class. In 2007 and 2009 I deployed to Balad Air Base, Iraq as an F-16 aircraft maintainer in support of Operation Iraqi Freedom. There I earned the Iraq Campaign Service Medal, Global War on Terrorism Service Medal, and Air Expeditionary Service Ribbon with Gold Border. I was also recognized by the 332nd Expeditionary Medical Group for my regular volunteer service in the Intensive Care Units helping the doctors and nurse staff with wounded military service members, third country nationals, Iraqi police, and enemy of war patients' multiple days a week. In 2009, I was awarded the Air Force Association Pitsenbarger Award which is a one-time grant given to top selected enlisted personnel who would be graduating from the Community College of the Air Force and plan to pursue a baccalaureate degree. In 2010, I deployed again as an aircraft maintainer to Kunsan Air Base, Republic of Korea and received the Korean Defense Service Medal. There I was also recognized by the Chaplain Corps for my volunteer services as a musician. In 2013, after having graduated from the Undergraduate

Air Battle Manager Training at the 337th Air Control Squadron at Tyndall Air Force Base, Florida, I received the prestigious Yukla 27 Award that is awarded to the student who best exemplifies the Air Force Core Values inside and outside of work and is nominated by both the classmates and cadre. In both 2015 and 2019, I deployed to Al Dhafra Air Base, United Arab Emirates as an Air Battle Manager in support of Operation Inherent Resolve. From both deployments, I earned an Air Medal and the Inherent Resolve Campaign Medal for flying 25 combat sorties and 308 combat hours. I was also recognized both years by the Chaplain Corps for my volunteer service as a musician. Additionally, I initiated a self-defense training program in 2019 training 8 members on a weekly basis during the 60 day deployment. In 2017, I received an Air Force Commendation Medal for my contributions as an Air Weapons Officer in support of Operation Inherent Resolve. In May 2020, I received an Air Force Commendation Medal for my contributions as an Air Weapons Officer in support of four joint exercises over a 3 year period in both the U.S. Pacific Command, Rim of the Pacific, and Sentry Aloha exercises: as well as the U.S. European Command in the Baltic Operations (BALTOPS) exercise. In July to November 2020, I was selected to go on active duty orders for 120 days at the U.S. Strategic Command for the Nuclear Command, Control and Communications Enterprise Center. In the four months assigned there, I earned a Joint Service Commendation Medal for driving multiple project initiatives to include creating a localized database that would facilitate the prioritization of the Department of Defense asset survivability resulting in 200,000 dollars in funding and 2,000 labor hours for additional contractor support. In May 2020, I was also selected to cross-train as a Cyber Warfare Operations Officer and graduated Undergraduate Cyber Warfare Training at Keesler Air Force Base, Mississippi where I was the class leader for 15



other students, while there I drove new a handful of innovative projects and eventually continued as an Instructor and Course Director at the 333rd Training Squadron. As the Course Director, I earned an Air Force Commendation Medal for the initiative I drove to revamp the Capstone courseware and implement it with joint planning across the cadre. In 2020, I received an Air Force Achievement Medal for my contributions to the readiness of the unit to conduct Defensive Cyberspace Operations, standardizing multiple self-assessment programs, and the Air Force Reserve Command Unit Compliance Inspection.

9. I submitted a Religious Accommodation (RA) request in response to the COVID shot mandate.

10. After I submitted my RA, I was mostly left alone. However, in December of 2020, I received my initial notification of my RA denial, which ended up being identified as sent “in error” and “requires more analysis.” With the confusion of the process, I was ordered via phone and e-mail to resubmit my RA package for COVID only and any other vaccines to submit those separately, as I have for the influenza vaccine. The negative impact after submitting the RA was widely due to the stress of not only the unknown for the awaited reply on the RA, but also having to investigate and reveal false information that was being publicized by the Lackland Air Force Base Public Affairs to willingly, knowingly, and openly to tell all service members that they had the FDA approved COVID vaccine, even though the inventory did not even exist in the United States.

11. I was ordered to have my RA submitted by November 2, 2022, which my RA was submitted on September 22, 2021. I received notification of a disapproval memo “in error” from my commander on December 5, 2021, and was ordered shortly after to resubmit my package for COVID only as well as an RA request for every individual vaccine, if I

wanted, since the original was for all vaccines including COVID. I was allowed the week to re-work my package which was submitted on time. I was later informed on March 10, 2022, by my new commander via phone and e-mail of the actual disapproval while on a non-duty status civilian. I informed my commander of my intent to appeal via phone and e-mail which was due within 5 calendar days of receiving the notification. There was no regard for the fact that I was ordered to comply within a timeline while on a non-duty status as a civilian and therefor not obligated to obey the order unless I was on orders on a duty status. I also sent an official memorandum for record to my commander on March 11, 2022, requesting an extension to the appeal timeline that explicitly stated the reasons for the extension was to allow time to request my original package, receive it, review, and respond to a proposal, any endorsement, documents, and attachments used to rescind or modify an accommodation and seek legal counsel. I was denied the request on March 11, 2022, and ordered to turn in my appeal by March 15, 2022, as originally stated, which I did on time. This was an unlawful order. It is illegal for leadership and staff to direct reserve-component servicemembers to conduct tasks without compensation. The federal government, including military leadership and staff, is barred from accepting voluntary (i.e., uncompensated) services by 31 US Code § 1342 (part of the Antideficiency Act, or ADA). Absent specific statutory authority, the acceptance of voluntary services is a per se ADA violation. During this five day timeline, I attempted to contact the Offutt Air Force Base Area Defense Council for legal advice, but no one answered the phone nor returned my call after having left a voice message.

12. I had COVID and tested positive for it in January 2022. This can be proven by the antibody test I took on February 28, 2022, and documentation can be provided. Of note,

when I had COVID, I coordinated with my reserve unit prior to the drill weekend since the quarantine period overlapped with the drill weekend and I was approved attend drill remotely while fulfilling my duty obligations for the weekend. COVID had no impact on my job responsibilities for that weekend and I was able to work with leadership to make a plan to still support the mission as the Flight Commander for the systems flight that supports the squadron's defensive cyber operations.

13. I have repeatedly tried to explain to my commanding officer as well as two medical staff members at Lackland Air Force Base the difference between the licensed product, Comirnaty, and the EUA-only Pfizer products and been told repeatedly that either they do not understand the issue or that they [the medical staff] have been trained to communicate they have Pfizer and it is FDA approved, without acknowledging the two different Pfizer products and their legal distinctions. I even went so far as to send an e-mail to my commander (after verbally sharing with him the same information) to forward to the Offutt Judge Advocate General's Corp (JAG) for their awareness that included fine details on the issue as well as supporting documentation so that they could respond or at least advise the commanders. The only response I received from this was verbally from my commander, that they [JAG] are looking into it.

14. I received back an initial denial memo sent "in error" from the Air Force Reserve Command Commander on December 5, 2021. This was the expected carbon copy that all members disapproved have received. I was notified again on March 10, 2022, of my actual disapproval for the RA (which the letter stated was for Religious Exemption) which was the exact same carbon copy of the first one I received "in error" with the only difference being the response time required for the appeal from 72 hours to five days. The denial



contained many inaccurate statements which I thoroughly addressed in my appeal. Also, the denial subject line references the memo is responding to a “Request for Immunization Exemption” where the request was not for an exemption, but for a Religious Accommodation. Additionally, the final RA package I sent that was requested by my commander to be separated for COVID only clearly shows no strict scrutiny was applied when considering my right for a religious accommodation since the response explicitly stated, “I disapprove your request for religious exemption for all immunizations to include the COVID-19 vaccination.” The emphasis that the memo states my request was for “all immunizations” when the package I had to resubmit was an RA for COVID only, not all immunizations.

15. I appealed the initial denial on March 15, 2022.

16. I have not yet received the response to my appeal, and it is pending approval with the Air Force Surgeon General.

17. I am facing verbal threats from my current commander that if the appeal gets denied and I still refuse I will have to go to the Inactive Ready Reserve which would include “No Pay, No Points.” Additionally, I was registered to attend the Joint Cyber Operations – Integration Planning Element training at U.S. Strategic Command in March through April 2022 but was informed that due to my vaccination status and recent RA disapproval, I would have to resign from the class. This has impacted my ability to grow in my current career field where before this disapproval or the travel restrictions placed on the unvaccinated existed, I had no issues progressing in my career. My health due to not being “fully vaccinated” has not contributed to any negative impacts in my career progression,



until recently. In fact, as is evident in paragraph 8, I was highly productive and even recognized several times, despite my vaccination status.

18. If I do not get the COVID shot within five days of receiving an appeal denial, I expect to be told I will be involuntarily forced to the Inactive Ready Reserve (IRR). Should I refuse to voluntarily go IRR, then I expect to be issued a Letter of Reprimand (LOR). This LOR will be followed by the first rebuttal. The rebuttal will likely be denied and then another LOR will be issued. The second LOR will also be rebutted. The significance of an LOR is if filed it could result in any potential future promotion board seeing the letter and it is having an adverse result to my promotion selection. The most major consequence of an LOR is that it will generally trigger an automatic administrative separation board. I am currently sitting on my mandatory Major's board, and I fear these LORs and future administrative actions will unjustly affect my promotion to Major. This will also likely result in the Article 15 being served to me for not obeying the "lawful" order under question to get the COVID vaccination.

19. If an administrative separation board is initiated, then I will be required to go before the Board of Investigation (BOI) for an administrative hearing to determine whether I should be stripped of my commission and removed from the military for "misconduct." For me and all others unable to get the COVID shot because of our religious beliefs, this allegation of "misconduct" will be "substantiated" absent injunctive relief, because they have given us a "lawful order," and denied our religious accommodation request.

20. Every COVID refusal within my personal knowledge has been recommended for separation. At the time of separation, the BOI will determine at what grade I will be retired. Typically for "misconduct," the officer is retired at the grade last "honorably" served,

meaning I face reduction to “Captain” for retirement purposes. However, having served nearly 17 years to-date, this also means I will unlawfully lose my military retirement benefits.

21. An officer will not simply be removed or discharged, absent the allegation of misconduct being formally found “unsubstantiated,” and the BOI and ultimate separation process will not stop without injunctive relief.

22. Even though I have been previously selected to attend career enhancement training for Joint Cyber Operations Integration Planning, this opportunity as well as using the skills I was recently trained to support the defensive cyber operations have already been stripped away from me as well as my reserve retirement after severing nearly 17 years, absent injunctive relief. My career is almost over now, because of the stigma of this entire process; but it will certainly be over when I am administratively discharged.

23. My vaccination status did not prevent me from continuing to execute the mission of the U.S. Air Force Reserves cyber operations. During the pandemic, I completed: 1) a 4-month temporary duty assignment at the U.S. Strategic Command and received a Joint Service Commendation Medal; 2) attended and graduated the 6-month Undergraduate Cyber Warfare Training school; and 3) attended and graduated a two month Cyber Defense Analysis Initial and Mission Qualification Training. All this occurred throughout much of the pandemic and most of which was prior to the vaccine mandate where COVID was at its height. I have traveled across the country between Oklahoma, Nebraska, Mississippi, and Texas for training and other tasks as demonstrated in the Defense Travel System and e-Finance where all travel requests are authorized and subsequently paid via a voucher process. As a reservist, I was on orders nearly the entire time and did not get COVID until

January 2022. I was able to support the U.S. Strategic Command Nuclear Enterprise Center mission, graduate from the required cross-training as well as provide essential manpower at the 333rd Training Squadron as a cadre member and received 3 medals the entire time of the COVID pandemic for my contributions via less restrictive means. It is only after receiving my RA disapproval that I am being told that it is unsafe for me to continue to fulfill my duties, even though I was permitted to do everything I have listed, up until now.

I declare under penalty of perjury, under the laws of the United States, that the foregoing statements are true and correct to the best of my knowledge.

Executed this March 25, 2022.

A handwritten signature in black ink, appearing to read "Michael A. Doughty", with a stylized flourish at the end.

Michael A. Doughty, Captain